

ASSEMBLY BILL

No. 1438

Introduced by Assembly Member Laird

February 23, 2007

An act relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1438, as introduced, Laird. State property: leases: DeLaveaga Park.

Existing law authorizes the Director of General Services to dispose of surplus state property subject to specified criteria, including authorization by the Legislature.

This bill would express the intent of the Legislature to honor the intent and obligations of the City of Santa Cruz and the state with regard to a lease of the DeLeveaga Park property in the City of Santa Cruz, and set forth various findings and declarations in that connection.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) DeLaveaga Park comprises 540 acres on the northeastern
- 4 boundary of the City of Santa Cruz, along the coastal terrace
- 5 seaward of the Santa Cruz Mountain Range.
- 6 (b) More than a century ago, the DeLaveaga Park property was
- 7 bequeathed to the City of Santa Cruz and County of Santa Cruz.

1 The County of Santa Cruz subsequently relinquished its title to
2 the property to the city.

3 (c) On March 4, 1899, the Legislature passed a statute to
4 establish, at or near the City of Santa Cruz, a camp of instruction
5 for the California National Guard. The statute authorized the state
6 to accept property in donation for the camp of instruction.

7 (d) On March 27, 1901, pursuant to the 1899 enactment, the
8 City of Santa Cruz and County of Santa Cruz jointly conveyed,
9 by way of donation, a portion of the DeLaveaga Park property to
10 the State of California for the state camp of instruction for the
11 California National Guard.

12 (e) On June 27, 1967, to facilitate the development of a
13 municipal golf course, the state leased a portion of previously
14 donated land occupied by the California National Guard to the city
15 in exchange for a lease on a city parcel within the park.

16 (f) Under the terms of the 1967 Lease Exchange Agreement,
17 the city and state intended the exchange of titles to the two parcels,
18 so that the city and the state would each hold title to the lands it
19 uses. However, 40 years after entering into the Lease Exchange
20 Agreement, the parties remain interested in resolving outstanding
21 issues and completing a transaction based on the past agreement.

22 SEC. 2. It is the intent of the Legislature by this act to honor
23 the city and state's intent and obligations with regard to the
24 DeLaveaga Park property in the City of Santa Cruz.